

shutdown of Kin-Buc

By CHRIS PECK

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EDISON — The controversial Kin-Buc Inc. landfill was given 10 days in which to close yesterday by a state regulatory agency on the eve of a court hearing to determine the township's authority to take similar action.

The state Department of Environmental Protection issued a lengthy order to Kin-Buc yesterday afternoon essentially

charging the landfill with posing a threat to the environment because of its lack of controls.

However, Beatrice Tylutki, director of Solid Waste Management for the DEP, said the state agency will also give Kin-Buc an answer on its plans to expand to a new, adjacent site, within those 10 days.

Tuesday, township police ordered the gates closed at the 30-acre landfill on the Raritan River for violation of a new code limiting the height of the fill area to 85 feet.

Later on Tuesday, Kin-Buc managers won a stay on that ordinance from an appellate court judge, to terminate shortly after the scheduled court hearing in Judge David D. Furman's court today in New Brunswick.

Robert Meagher, president and treasurer of Kin-Buc Inc., said the landfill operators will seek a hearing before the DEP before that agency goes to court to seek an injunction barring further operations at the landfill.

Kin-Buc is the only landfill approved for accepting chemical wastes by the state regulatory agencies. However, Ms. Tylutki said chemical firms would be offered a list of other facilities within a 500-mile radius, which would include at least three chemical treatment operations in New Jersey. She added, some firms have their own lagoons for chemical disposal. She said she believed there would be a sufficient number of landfills and chemical treatment plants available within that radius to the chemical firms which rely on Kin-Buc for dumping wastes, although she stated last month that the three New Jersey chemical dumps combined could not handle the daily load at Kin-Buc.

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State agency orders shutdown of Kin-Buc

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Meagher said Kin-Buc officials were surprised by the state's move to close the plant. He said that about 30 days ago the state agency was claiming Kin-Buc was a "necessary evil." He added, "Somebody got to somebody."

His reaction to the coincidence of the state's action with the township's action earlier this week was, "They (the township) have a very vocal senator down there."

Sen. Bernard Dwyer, D-Middlesex, is the former mayor of Edison. He could not be reached for comment last night.

Ms. Tylutki said Kin-Buc has been cited two or three times in the past few months for violations ranging from seepage into the Raritan River to off-site odors.

She said she also expected some action on the landfill question to be taken by the federal Environmental Protection

Agency.

Plans to expand the landfill to the adjacent 60-acre site call for treatment of the hazardous chemicals and even recovering some of the garbage to be used as an energy source.

Meagher said if these plans are approved, the new location would be ready for use in eight months.

Ms. Tylutki offered no indication of what the DEP's decision would be on the expansion, but said if the plans were approved, Kin-Buc would also have to agree to any new restrictions or regulations the state agency might add.

Yesterday's order stipulates that Kin-Buc close down its operation and provide plans for that closing in addition to plans for correcting deficiencies and controls to protect the environment.

The order was issued under penalty of \$1,000 a day for violation.